IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO.26 OF 2007

IN

SUMMARY SUIT NO.3181 OF 2006

Panna @Poonam Pandharinath Waringe ...Plaintiff.

vs.

Balraj Chopra. ...Defendant.

Mr.Basant Tilokani i/b. Basant Tilokani &Co., for Plaintiff.

Mr.Patil i/b. R.S.Chaubey, for Defendant.

CORAM: D.K.DESHMUKH,J.

DATED: 13th February, 2007.

P.C.:-

1. Admittedly the summons for judgment has been served on the defendant on 11.1.2007. Within the time allowed by Order 37 of C.P.C. there is no application made by the defendant for leave to defend. Therefore, in terms of Order 37 of C.P.C. the plaintiff is entitled to judgment.

2. Heard the learned Counsel appearing for plaintiff. The suit of the plaintiff is based on a writing at “Exhibit B” whereby the defendant acknowledges that he has to pay an amount of Rs.7,50,000/- to the plaintiff. The demand notice was issued by the plaintiff to the defendant. The plaintiff has produced the acknowledgment which shows that it was duly served on the defendant. The demand notice has not been replied with. Even no application is made for leave to defend the suit. The summons for judgment is therefore, granted. Suit of the plaintiff is decreed in terms of prayer clause of the suit. Refund of court fees as per rules.